

Appendix 1

Delegation of Medically Oriented Tasks

Medically oriented tasks are covered personal care services when delegated by a registered nurse (RN) under HFS 107.112(2)(b), and N6, Wis. Admin. Code.

Criteria for Delegation of Medically Oriented Tasks

According to HFS 107.112(2)(b), Wis. Admin. Code, a personal care worker (PCW) of a Medicaid-certified personal care agency may perform a medically oriented task under the delegation of an RN according to Chapter N6, Wis. Admin. Code, and the guidelines of the Board of Nursing. When delegating medically oriented tasks, the following conditions should be met:

1. The agency has policies and procedures designed to provide for safe and accurate performance of the delegated tasks. These policies shall be followed by personnel assigned to perform these tasks.
2. The RN provides written delegation of the nursing act.
3. Documentation supports the educational preparation of the caregiver who performs delegated tasks.
4. For medication administration, documentation should also include the name of the medication, the dose, the route of administration, the time of administration, and identification of the person administering the medication.
5. Teaching and supervisory oversight is provided by the RN.
6. Recipients are informed, prior to the delivery of service, that unlicensed personnel will administer their medications and other treatments/procedures.
7. The supervision and direction of the delegated nursing act meets the requirements of Chapter N6, Wis. Admin. Code.
8. The recipient, parent, or responsible person is permitted to participate in the training and supervision of the PCW.

To assure that services are competently and safely provided, and the needs of the recipient are being met, an RN must provide the following supervision and direction of the delegated nursing acts:

- Delegate tasks commensurate with educational preparation and demonstrated abilities of the person supervised.
- Provide direction and assistance to those supervised.
- Observe and monitor the activities of those supervised.
- Evaluate the effectiveness of acts performed under supervision.

The supervising RN must document that the above requirements are met when medically oriented tasks are delegated to PCWs. Documentation must include that the PCW has been appropriately trained to provide the medically oriented task safely for the specific recipient and competency has been evaluated.

Tasks that Cannot be Delegated

According to the Board of Nursing, the following are two principal exceptions to the RN's ability to delegate tasks to unlicensed personnel:

1. Nursing assessment and evaluation cannot be delegated. Licensed practical nurses and less-skilled assistants may assist the RN in these functions but may not perform them in their entirety.
2. Performance of intravenous (IV) therapy, including starting peripheral IV lines, adding medication to the IV fluids, monitoring IV fluids which carry medication, and monitoring IV fluids for hydration purposes require direct, on-site supervision.

Responsibility for Delegation

Though agencies may suggest which nursing acts should be delegated, it is the supervising RN who makes the decision on whether and under what circumstances the delegation occurs. When an RN delegates another person to perform a task, the RN assumes responsibility and liability under his or her license for the proper performance of that task. The RN should only delegate tasks that can be performed appropriately or safely by the PCW.

The PCW is not required to accept a delegated act. However, the PCW should immediately inform the RN supervisor if he or she refuses to accept the delegation.

Questions Regarding Delegation

The Department of Regulation and Licensing standards in Chapter N6, Wis. Admin. Code, define a nurse's responsibility when delegating nursing acts. Further questions regarding the interpretation of this code and the delegation of nursing acts, should be directed to:

Department of Regulation and Licensing,
Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

E-mail address: *Dorl@mail.state.wi.us*

Telephone number: (608) 266-0145